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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,073	11/25/2003	James V. Leonard	BO1-0258US	4169
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LEE & HAYES, PLLC 421 W. RIVERSIDE AVE. SUITE 500 SPOKANE, WA 99201			EXAMINER AHLUWALIA, NAVNEET K	
			ART UNIT 2166	PAPER NUMBER
			MAIL DATE 12/31/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/722,073

Applicant(s)

LEONARD ET AL.

Examiner

Navneet K. Ahluwalia

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/12/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 7 and 15 - 28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 7 and 15 - 28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/12/2007 has been entered.

Response to Arguments

2. Claims 1 – 7 and 15 – 28 are pending in this Office Action. After a further search and a thorough examination of the present application, claims 1 – 7 and 15 – 28 remain rejected.

3. Applicant's arguments filed with respect to claims 1 – 7 and 15 – 28 have been fully considered but they are not persuasive.

Applicant argues that there is no teaching in Colson or Comroe of the first and second searchable library websites being exclusive to the employer, locating an abstract for a published submission on a technical society website and embedding a hyperlink to the second searchable website into the abstract, the hyperlink being configured to display the published submission when invoked.

In response to Applicant's argument, the Examiner submits that Colson in combination with Comroe teach the abstract for the published submission to a website (Figure 1, paragraphs 0009 – 0010 and 0057, Colson), and downloading the published submission to the machine readable memory medium at a website (paragraphs 0061 – 0062 and 0073, Colson) and embedding a hyperlink to the second address into the abstract, the hyperlink being configured to display the published submission when invoked (Figures 20, 20B and paragraphs 0080 – 0082, Colson). However Colson does not disclose embedding the hyperlink in the abstract for the full text explicitly as claimed. Instead it teaches embedded hyperlink in the product document number for the document. Comroe teaches the hyperlink being embedded in the title for the full text document and the hyperlink can be embedded in the abstract for the full text to the article (paragraph 0050, Comroe). It would have been obvious to one of ordinary skill in the art of data processing at the time of the present invention to combine the teachings of cited references because it would enhance Colson's method of publication website to be searched for documents/articles and other objects by keywords, text, category, abstract, headlines and also further provide the viewable format of the document by providing a hyperlink (paragraph 0007 – 0017, Comroe). Furthermore it would be more convenient for the clients to search and download information by just clicking on the link once suitable information was found. The exclusive ownership is also taught by Colson and rights of use can be granted to other clients and partners with certain permissions as indicated in Figure 11 and 20B.

Other claims recite the same subject matter and for the same reasons as cited above the rejection is maintained. Hence, Applicant's arguments do not distinguish the claimed invention over the prior art of record. In light of the foregoing arguments, the 103 rejections are sustained.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 15 – 21 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Given the broadest interpretation to claim 15 is a system claim with means for components that are software per se. Therefore the claims fall under non-statutory subject matter.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1 – 7 and 15 – 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Colson et al. ('Colson' herein after) (US 2002/0072997 A1) further in view of Matthew Comroe ('Comroe' herein after) (US 2001/0047362 A1).

With respect to claim 1,

Colson discloses a method for augmenting an internal library with published submissions to a technical society, the method comprising:

- locating an abstract for a published submission on a technical society website (Figure 1, paragraph 0009, Colson);
- downloading the abstract for the published submission to a machine-readable memory medium at a first searchable library website (Figure 1, paragraphs 0009 – 0010, Colson);
- locating the published submission on a technical society website (Figure 1, paragraphs 0009 – 0010 and 0057, Colson);

- downloading the published submission to the machine-readable memory medium at a second searchable library website (paragraphs 0061 – 0062 and 0073, Colson); and
- embedding a hyperlink to the second address into the abstract, the hyperlink being configured to display the published submission when invoked, wherein the first and second searchable library websites are exclusive to the employer (Figures 20, 20B and paragraphs 0080 – 0082, Colson).

Colson however does not disclose embedding the hyperlink in the abstract for the full text explicitly as claimed. Instead it teaches embedded hyperlink in the product document number for the document.

Comroe teaches the hyperlink being embedded in the title for the full text document (paragraph 0050, Comroe). It would be inherent that the hyperlink can be embedded in the abstract for the full text to the article.

It would have been obvious to one of ordinary skill in the art of data processing at the time of the present invention to combine the teachings of cited references because it would enhance Colson's method of publication website to be searched for documents/articles and other objects by keywords, text, category, abstract, headlines and also further provide the viewable format of the document by providing a hyperlink (paragraph 0007 – 0017, Comroe). Furthermore it would be more convenient for the clients to search and download information by just clicking on the link once suitable information was found.

9. Claims 2 – 7 are rejected under the same rationale given for claim 1. The citations of the elements claimed and taught are listed below.

With respect to claim 2,

Colson discloses the method of claim 1, wherein locating the abstract is based upon a submission approval procedure internal to an organization (it is inherent that if the abstract and documents are found, they would have been submitted at a certain point in time to an organization paragraphs 0080 – 0082, Colson and paragraph 0050, Comroe).

With respect to claim 3,

Colson discloses the method of claim 2, wherein locating the submission is based upon a submission approval procedure internal to an organization (it is inherent that if the documents are found, they would have been submitted at a certain point in time to an organization paragraphs 0080 – 0082, Colson and paragraph 0050, Comroe).

With respect to claim 4,

Comroe discloses the method of claim 1, wherein the downloading of the abstract includes indexing the first address to allow searching for the abstract (paragraph 0010, Comroe).

With respect to claim 5,

Comroe discloses the method of claim 4, wherein the searching is by keyword (paragraph 0050, Comroe).

With respect to claim 6,

Comroe discloses the method of claim 4, wherein the searching is by subject (paragraphs 0010 and 0050, Comroe).

With respect to claim 7,

Comroe discloses the method of claim 4, wherein the searching is by author (paragraphs 0007 – 0014, Comroe).

With respect to claim 15,

Colson discloses a system for augmenting an internal library with published submissions to a technical society, the method comprising:

- a first means for locating an abstract for a published submission on a technical society website (Figure 1, paragraph 0009, Colson);
- a second means for downloading the abstract for the published submission to a machine-readable memory medium at a first searchable library website (Figure 1, paragraphs 0009 – 0010, Colson);
- a third means for locating the published submission on a technical society searchable library website (Figure 1, paragraphs 0009 – 0010 and 0057, Colson);

- a fourth means for downloading the published submission to the machine-readable memory medium at a second address (paragraphs 0061 – 0062 and 0073, Colson); and
- a fifth means for embedding a hyperlink to the second address into the abstract, the hyperlink being configured to display the published submission when invoked wherein the first and second searchable library websites are exclusive to the employer (Figures 20, 20B and paragraphs 0080 – 0082, Colson).

Colson however does not disclose embedding the hyperlink in the abstract for the full text explicitly as claimed. Instead it teaches embedded hyperlink in the product document number for the document.

Comroe teaches the hyperlink being embedded in the title for the full text document (paragraph 0050, Comroe). It would be inherent that the hyperlink can be embedded in the abstract for the full text to the article.

It would have been obvious to one of ordinary skill in the art of data processing at the time of the present invention to combine the teachings of cited references because it would enhance Colson's system of publication website to be searched for documents/articles and other objects by keywords, text, category, abstract, headlines and also further provide the viewable format of the document by providing a hyperlink (paragraph 0007 – 0017, Comroe). Furthermore it would be more convenient for the clients to search and download information by just clicking on the link once suitable information was found.

10. Claims 16 – 21 are rejected under the same rationale given for claim 15. The citations of the elements claimed and taught are listed below.

With respect to claim 16,

Colson discloses the system of claim 15, wherein locating the abstract is based upon a submission approval procedure internal to an organization (it is inherent that if the abstract and documents are found, they would have been submitted at a certain point in time to an organization paragraphs 0080 – 0082, Colson and paragraph 0050, Comroe).

With respect to claim 17,

Colson discloses the system of claim 16, wherein locating the submission is based upon a submission approval procedure internal to an organization (it is inherent that if the documents are found, they would have been submitted at a certain point in time to an organization paragraphs 0080 – 0082, Colson and paragraph 0050, Comroe).

With respect to claim 18,

Colson discloses the system of claim 15, wherein the downloading of the abstract includes indexing the first searchable library website to allow searching for the abstract (paragraph 0010, Comroe).

With respect to claim 19,

Colson discloses the system of claim 18, wherein the searching is by keyword (paragraph 0050, Comroe).

With respect to claim 20,

Colson discloses the system of claim 18, wherein the searching is by subject (paragraphs 0010 and 0050, Comroe).

With respect to claim 21,

Colson discloses the system of claim 18, wherein the searching is by author (paragraphs 0007 – 0014, Comroe).

With respect to claim 22,

Computer readable media including one or more program modules configured to cause one or more processors to perform the method of claim 1 (See rejection for claim 1).

With respect to claim 23,

Computer readable media including one or more program modules configured to cause one or more processors to perform the method of claim 2 (See rejection for claim 2).

With respect to claim 24,

Computer readable media including one or more program modules configured to cause one or more processors to perform the method of claim 3 (See rejection for claim 3).

With respect to claim 25,

Computer readable media including one or more program modules configured to cause one or more processors to perform the method of claim 4 (See rejection for claim 4).

With respect to claim 26,

Computer readable media including one or more program modules configured to cause one or more processors to perform the method of claim 5 (See rejection for claim 5).

With respect to claim 27,

Computer readable media including one or more program modules configured to cause one or more processors to perform the method of claim 6 (See rejection for claim 6).

With respect to claim 28,

Computer readable media including one or more program modules configured to cause one or more processors to perform the method of claim 7 (See rejection for claim 7).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Navneet K. Ahluwalia whose telephone number is 571-272-5636.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam T. Hosain can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Navneet K. Ahluwalia
Examiner
Art Unit 2166


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER

Dated: 12/18/2007